

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

No. 3:14-cr-30177-DRH-SCW

GAIS HUSSEIN and MAJDI ODEH

Defendant.

ORDER FOR PRESENTENCE PROCEDURE

HERNDON, District Judge:

This matter is before the Court on defendant Qais Hussein's motion to participate jointly in the amount of loss portion of sentencing on Friday, October 16, 2015. On October 6, 2015, co-defendant Majdi Odeh filed a motion for leave to file objections to the PSR, limited specifically to contesting the amount of fraud loss (Doc. 187). The Court granted the motion (Doc. 188) and co-defendant Odeh filed his objection on October 8, 2015 (Doc. 191). Co-defendant Odeh intends to present evidence, including presentation of expert testimony, in support of his amount of loss objection at his sentencing currently scheduled for October 6, 2015.

Defendant Hussein states that he and co-defendant Odeh are aligned in contesting the amount of fraud loss put forward by the government. Accordingly, in an effort to avoid duplication of effort and promote judicial economy, defendant Hussein, with the agreement of defendant Odeh, requests that the Court allow a

joint presentation regarding the amount of fraud loss.¹ The Court agrees that, for the reasons set forth in the subject motion, it would promote judicial economy to have co-defendants Hussein and Odeh make a joint presentation on the issue of amounts of loss, instead of duplicating the same/similar testimony for each defendant. However, as noted in the subject motion, co-defendants Hussein and Odeh are only aligned on the amount of loss issue. As to other issues, there are conflicts of interest. Accordingly, as to co-defendants Hussein and Odeh, the Court **ORDERS** as follows:

- October 16, 2015, 10:00 AM: The Court will hold a joint evidentiary hearing for co-defendants Hussein and Odeh with respect to the amount of loss issue only.
- October 16, 2015, following completion of the amount of loss joint evidentiary hearing: The Court will sentence Defendant Hussein.
- October 16, 2015, following sentencing of Qais Hussein: The Court will sentence Defendant Odeh.

IT IS SO ORDERED.

Signed this 14th day of October, 2015.

David R. Herndon



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David R. Herndon
Date: 2015.10.14
14:53:59 -05'00'

United States District Judge

¹ The Court notes that defendant Hussein has not filed a timely objection to the PSR. Nonetheless, the Court treats the current request as an objection to the amount of fraud loss stated in the PSR.